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Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

SHEILA MEADOWS, an individual,

Plaintiff,

v.

KINDERCARE LEARNING CENTERS, INC., a foreign business corporation; and
EVA M. KRIPALANI, an individual,

Defendants.

Civil No. CV 03-1647 HU

**MOTION OF KINDERCARE
LEARNING CENTERS, INC. AND
EVA M. KRIPALANI TO CERTIFY
QUESTIONS TO THE OREGON
SUPREME COURT**

Pursuant to LR 7.1, the undersigned certifies that the parties made a good-faith effort by telephone conference to resolve the matters raised by this motion, but have been unable to do so.

MOTION

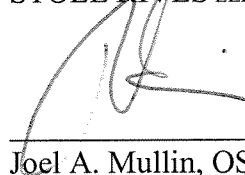
In accordance with LR 83.15, defendants KinderCare Learning Centers, Inc. and Eva M. Kripalani move the Court to certify to the Oregon Supreme Court two questions central to resolution of this dispute. The questions to be certified are:

1. May a former in-house attorney sue for retaliatory discharge by claiming that the termination was based on her opposition to the very company policies and practices on which she advised her client?
2. May a former in-house attorney sue for retaliatory discharge if proving her claim requires the disclosure of client "confidences" and "secrets" as defined by DR 4-101(A)?

In support of this motion, defendants submit the accompanying memorandum and refer the Court to the memoranda filed with respect to defendants' pending motion to dismiss.

DATED: February 6, 2004.

STOEL RIVES LLP



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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **MOTION OF KINDERCARE LEARNING CENTERS, INC. AND EVA M. KRIPALANI TO CERTIFY QUESTIONS TO THE OREGON SUPREME COURT** on the following named person(s) on the date indicated below by

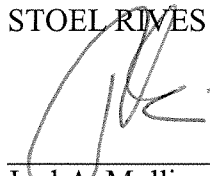
- ☒ mailing with postage prepaid
- ☐ hand delivery
- ☐ facsimile transmission
- ☐ overnight delivery
- ☐ e-mail
- ☒ notice of electronic filing using the Cm/ECF system

to said person(s) a true copy thereof, contained in a sealed envelope, addressed to said person(s) at his or her last-known address(es) indicated below.

Mr. Craig A. Crispin
Crispin Employment Lawyers
500 Plaza West
9600 SW Oak Street
Portland, OR 97223-6597

DATED: February 6, 2004.

STOEL RIVES LLP



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